

REMARKS

The above amendments made hereby and the following remarks are submitted in accordance with a Request for Continued Examination filed on even date and in response to the Final, presently outstanding Official Action of the Examiner.

Applicant is in receipt of an Office Action from the United States Patent and Trademark Office, and the examiner has made the action taken therein "FINAL". Claims 1-5 are pending in the application. All of the claims are presently subject to rejection.

The examiner rejected Claims 1-5 under 35 U.S.C. § 102(b). The examiner was of the opinion that those claims are fully anticipated by the teachings of United States Patent No. 5,161,180 (Chavous).

In response to the action taken by the examiner, and in view of the fact that the action taken was made "FINAL", Applicant hereby files a Request for Continued Examination (RCE). This PRELIMINARY AMENDMENT is filed in furtherance of prosecution and addressing the positions taken by the examiner in the presently outstanding Office Action.

By this PRELIMINARY AMENDMENT, Applicant hereby amends Claim 1 to more clearly focus upon the nature of the invention and to more specifically distinguish over the prior art. It is submitted that, in prior documents filed in this case, Applicant adequately distinguished over the prior art. It is submitted, however, that limiting language added to Claim 1 by this Preliminary Amendment

even more distinctly distinguishes over the prior art.

Claims 2-5 have been amended to characterize the invention as "apparatus" rather than as "an emergency message processor" as it was previously characterized.

Language has also been added to Claim 1 to focus upon the apparatus as being "for use... to provide emergency message initiator identification information regarding a single transmission source having initiated an emergency message". It is felt that the language added by amendment clarifies the invention's nature and purpose.

Further, the "initiator" in element (b) of Claim 1 has been qualified to specifically posit it "in the local communications network".

Finally with regard to the claims, language has been added to element (c) of Claim 1 to define the initiator as being constructed so as to preclude a need for any **extraordinary** adjunct equipment **specially installed** in the emergency system which corresponds with the initiator.

In the Office Action most recently received, the examiner tasks Applicant with knowing that, when a 9-1-1 call or emergency message is transmitted to a PSAP, the PSAP has to have necessary means to decode the emergency message in order for the PSAP operator to determine needs of the emergency caller in order to arrange for help. Applicant submits that the total context of the

specification of this application, while explicitly defining an emergency message processor, defines the invention as excluding any need for any extraordinary adjunct equipment in the emergency system which corresponds with the initiator. The invention includes the presence of an information storage unit posited in the local communications network and an initiator also posited in the local communications network. No extraordinary adjunct equipment need be specially installed in the emergency system, however, which receives information from the initiator, processes it and, in turn, interrogates the initiator.

In view of the definition of the invention, as amended, there are clearly a number of bases upon which the claimed invention distinguishes over the teachings of Chavous. First, because of the lack of extraordinary adjunct equipment in the emergency system, immediate transmission and proper routing occur upon initiation of an emergency message. The limitation requiring immediate transmission is recited in element (a), at line 6 thereof.

Second, in view of the manner in which the invention is claimed, location of the initiator in the local communications network is specified. It is less than clear where Chavous teaches positing of the initiator. This is so in view of the use of multiple equipments, at least one of which is specially installed in the emergency system. This limitation is found in element (b), beginning at line 1 thereof.

Third, present Claim 1 provides for the initiator fully implementing transmission of indicia into the emergency system immediately upon initiation of an emergency message. Chavous cannot fully implement transmission of indicia because of the adjunct equipment having to correspond with the initiator in the local communications network. Applicant would point out that, if Chavous were installed without any extraordinary adjunct equipment specially installed, nothing would happen since there would be no receiver for data transmitted by the initiator. This limitation is included in element (b), beginning at line 2 thereof.

Finally, Claim 1 of the present application employs an initiator defined as precluding any need for adjunct equipment which corresponds with the initiator. As previously alluded to in Applicant's arguments, Chavous requires a first device, identified by reference numeral 102, and a second device, identified by reference numeral 116. Applicant submits that the teachings of Chavous are, therefore, in a direction away from the solution provided by the present invention. This final limitation is defined in element (c) at lines 1-3 thereof.

In view of the features defined by Claim 1 of this application, it is sincerely believed that Claim 1 defines patentably over the Chavous reference or any other art of record. Allowance of the application and issuance of papers to that effect are, therefore, earnestly solicited.

Please charge any deficiencies or credit any over payment to
Deposit Account 14-0620.

Respectfully submitted,

Martin D. Moody

By his attorney

Date October 15, 2007

Lawrence M. Nawrocki
Lawrence M. Nawrocki
Reg. No. 29,333
NAWROCKI, ROONEY & SIVERTSON, P.A.
Suite 401, Broadway Place East
3433 Broadway St. N.E.
Minneapolis, MN 55413
Customer No. 05909
(612) 331-1464